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August 31, 2004

Via Facsimile

Hon. E. Thomas Boyle
United States Magistrate Judge
Long Island Courthouse
100 Federal Plaza
Central Islip, New York 11722

Re: Commack Kosher Self-Service Meats v Rubin
96 cv 0179 (NG) (ETB)

Dear Judge Boyle:

I am the Assistant Attorney General assigned to represent the defendant with regard to the fee application of the plaintiffs. I write to advise that the parties have settled the matter of fees and disbursements for \$450,000.00. Accordingly, Lisa Lundy of your chambers has cancelled the settlement conference scheduled for 2:00 PM today, August 31, 2004. The parties will execute a stipulation of settlement which will be presented to the Court for approval. Robert Dinnerstein, Esq., attorney for the plaintiffs joins in this letter.

Ms. Lundy gave permission for this letter to be sent by facsimile.

Respectfully yours,

Ivan B. Rubin
Assistant Attorney General

cc: Hon. Nina Gerson
Robert Dinnerstein, Esq.
Nathan Lewin, Esq.
All via facsimile